



**US Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to:	Issuance Date:
Public Notice No. 20040027	February 5, 2004
Stream:	Expiration Date:
Ohio River	March 6, 2004
Address comments to: US Army Corps of Engineers, Huntington District 602 Eighth Street ATTN: CELRH-F Huntington, West Virginia 25701-2070	

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the West Virginia Department of Environmental Protection (WVDEP) to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Letart Corporation Sand & Gravel
P.O. Box 430
Gallipolis Ferry, West Virginia 25515

LOCATION: The proposed project is located along approximately 120 linear feet of the left descending bank of the Ohio River at milepoint 271.9, in Gallipolis Ferry, Mason County, West Virginia.

DESCRIPTION OF PROPOSED WORK: The applicant proposes to construct a barge offloading and fleeting facility in waters of the United States. The purpose of the facility is to ensure the companies continued competitive stance in the marketplace by supplementing its aggregate supply from barge transport. The offloading facility will involve the construction of a conveyor ramp and stockpile area. A barge will transport the aggregates, anchor off-shore and offload. During offloading operations the barge configuration will extend 160 feet riverward from the normal pool shoreline. A sloping ramp extending from the normal pool elevation (538.0 m.s.l.) would be excavated from the left descending bank to the stockpile area. Approximately 290 cubic yards of earthen fill would be excavated from below the ordinary high water (OHW) mark (545.0 m.s.l.), transported upland and utilized to construct a pad for the stockpile area. The side slopes of the ramp will be stabilized with eight inch sized riprap, resulting in the placement of 60 cubic yards below the OHW mark. The ramp will be stabilized with #2 limestone (average size is two to four inches in diameter) resulting in the placement of 30 cubic yards below the OHW mark. The total area to be impacted below the OHW mark by the ramp and associated side slopes is approximately 0.06-acre. In addition to aggregates the facility may also be used in the future to offload bulk construction aggregates, decorative aggregates and mulch. The fleeting area will involve mooring four Jumbo size barges (35' X 195') on the upstream side of the offloading area (reference Sheet 3 of 4 attached for the mooring configuration). The barges will be moored along the left descending bank by wire-cable and deadmen anchors placed above the OHW mark. Construction of the facility will require vegetation removal, including all trees within an approximate 60 feet wide riparian corridor extending along the left descending shoreline approximately 130 linear feet (0.18-acre). Vegetation and tree removal activities will be performed before March 31, 2004. The stockpile area will be constructed upland in a previous agricultural field. Therefore, no additional vegetation or tree removal will be necessary. The applicant does not anticipate performing maintenance dredging to accommodate the facility, therefore, no dredging is proposed.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain that certification from the WVDEP.

HISTORIC ISSUES: The National Register of Historic Places has been consulted and it has been determined that there are no properties in the vicinity currently listed on the register. A copy of this public notice will be sent to the State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED SPECIES: The Huntington District has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENTS: Any person who has an interest which may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected by the activity and the manner in which the interest may be adversely affected by the activity. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

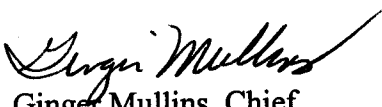
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the

impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic property, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

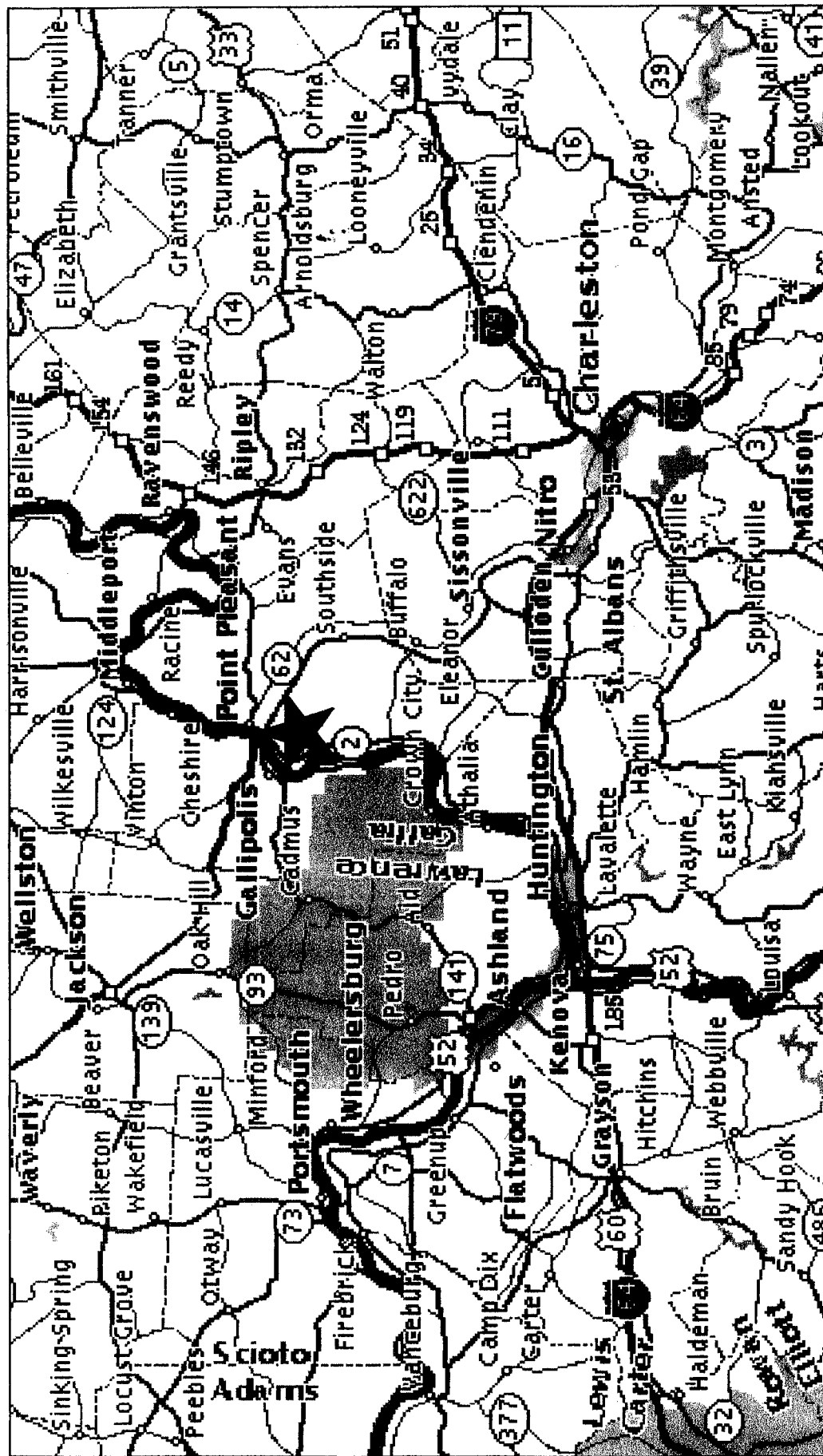
Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U. S. Army Corps of Engineers
ATTN: CEORH-OR-F Public Notice No. 200400027
502 Eighth Street
Huntington, West Virginia 25701-2070

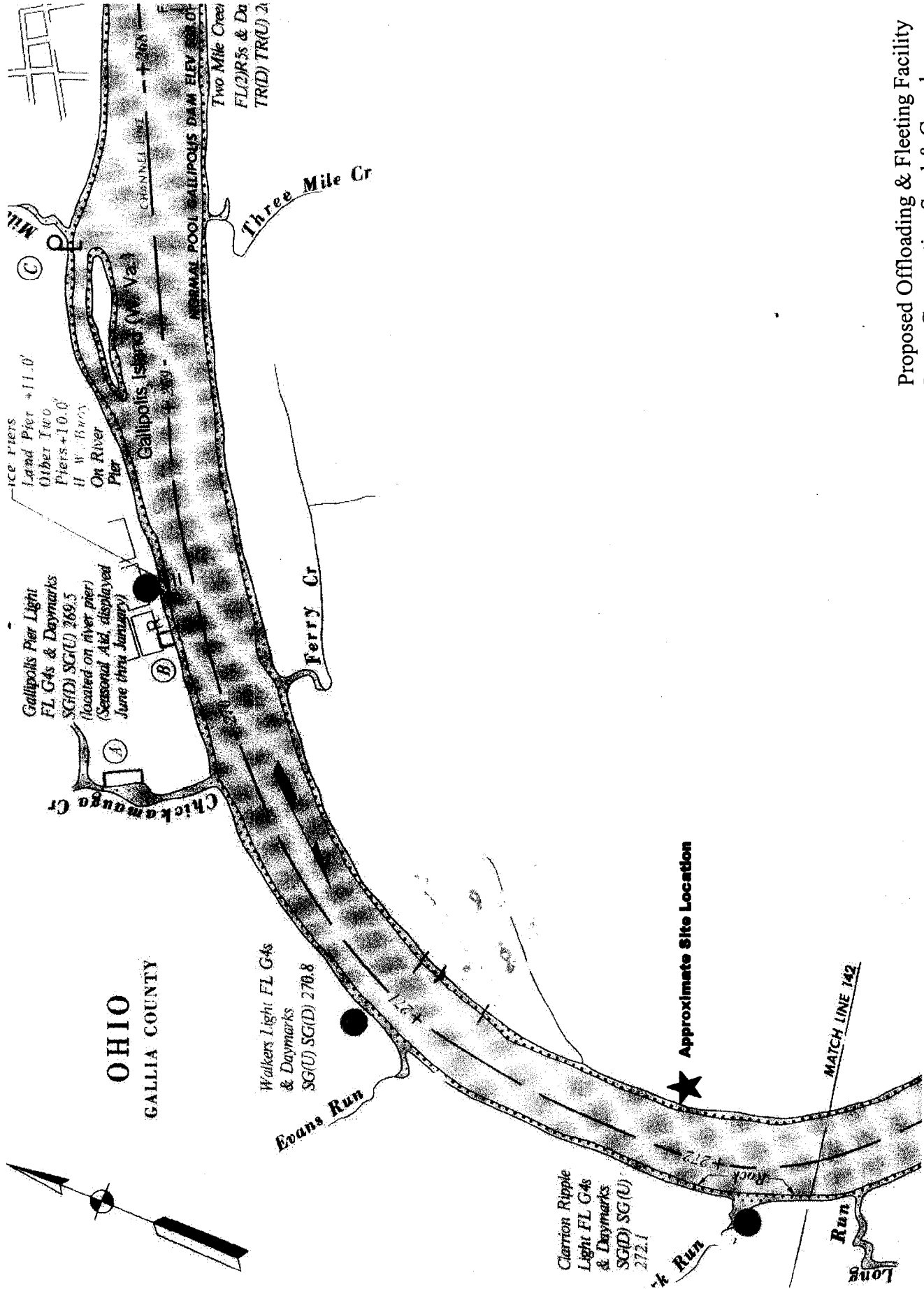
If you have any questions concerning this public notice, please contact Mark Lesinski of South Regulatory Section at 304-399-5710.


Ginger Mullins, Chief
Regulatory Branch

(W,O)



Proposed Offloading & Fleeting Facility
 Letart Corporation Sand & Gravel
 Ohio River Milepoint 271.9 (Left Descending Bank)

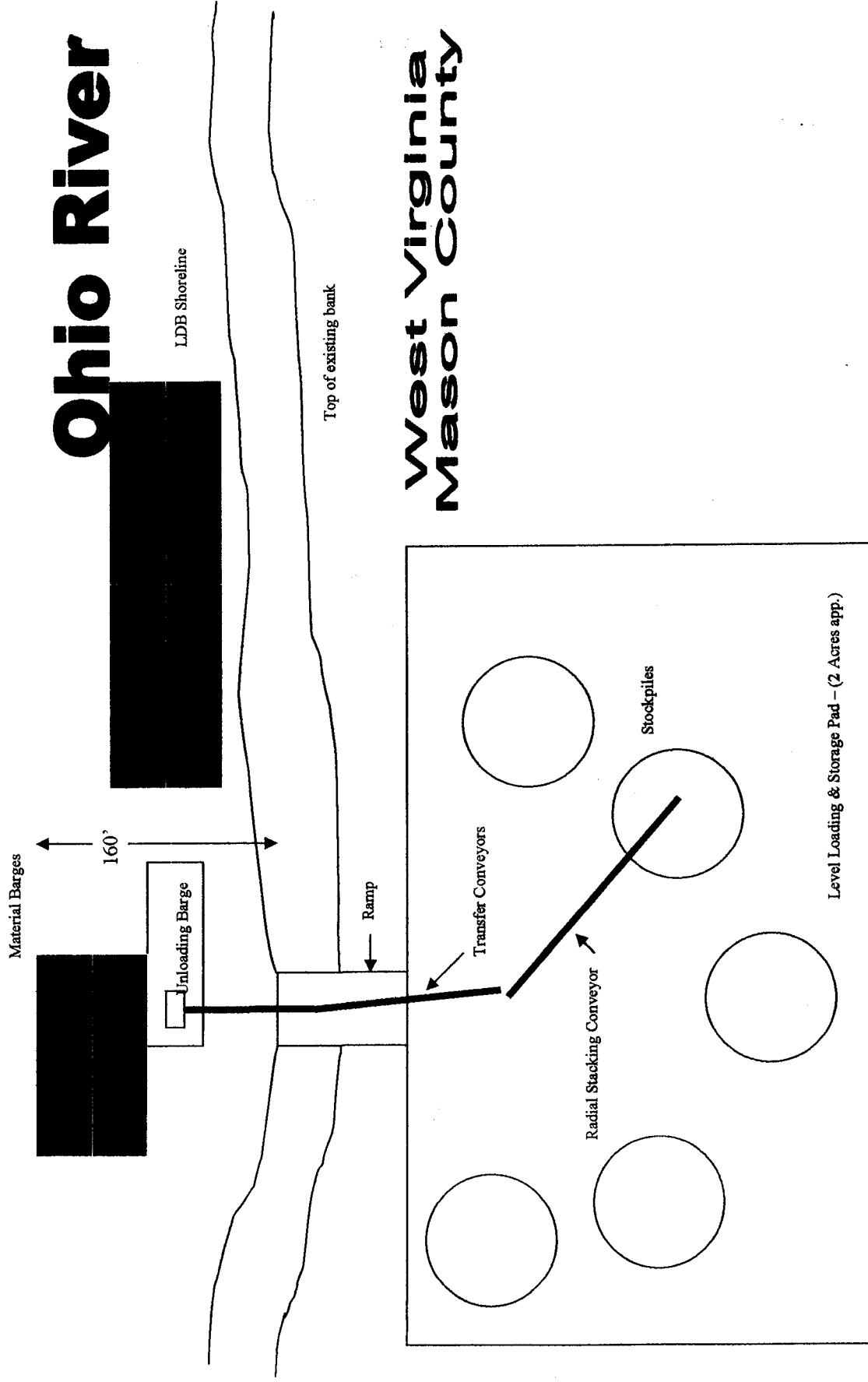


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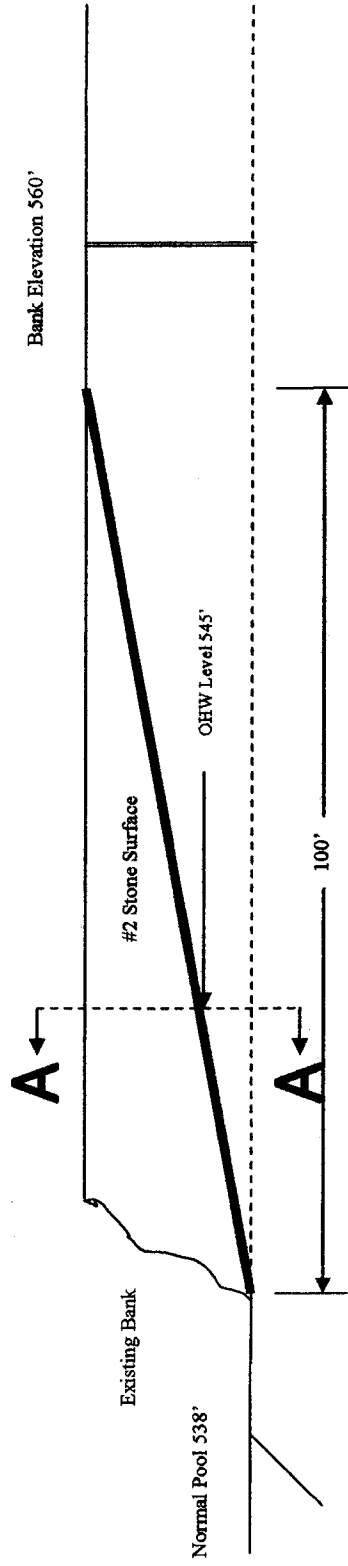
← Mile 272

Mile 271 →

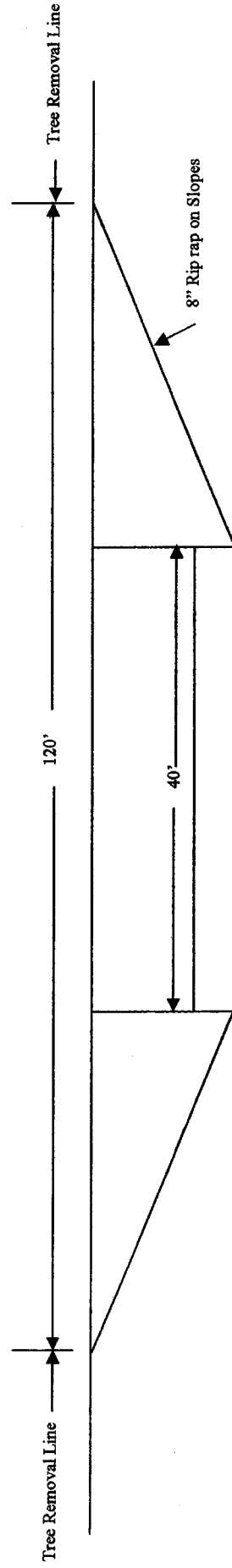
Direction of Flow



Proposed Offloading & Fleeting Facility
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Cross Section of Ramp



Normal Pool 538'

Section A-A

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